

1 THE HONORABLE JOHN C. COUGHENOUR

2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 STEPHEN E. WHITTED,

CASE NO. C18-0642-JCC

10 Plaintiff,

MINUTE ORDER

11 v.

12 PETER WINFIELD JORDAN, *et al.*,

13 Defendants.  
14

15 The following Minute Order is made by direction of the Court, the Honorable John C.  
16 Coughenour, United States District Judge:

17 This matter comes before the Court on Defendants Peter Jordan and Lori Jordan's  
18 (collectively, the "Jordans") motion for Rule 11 sanctions against Plaintiff (Dkt. No. 38). Under  
19 Federal Rule of Civil Procedure 11:

20 By presenting to the court a pleading, written motion, or other paper--whether by  
21 signing, filing, submitting, or later advocating it--an attorney or unrepresented party  
22 certifies that to the best of the person's knowledge, information, and belief, formed  
23 after an inquiry reasonable under the circumstances: (1) it is not being presented  
24 for any improper purpose, such as to harass, cause unnecessary delay, or needlessly  
25 increase the cost of litigation; (2) the claims, defenses, and other legal contentions  
26 are warranted by existing law or by a nonfrivolous argument for extending,  
modifying, or reversing existing law or for establishing new law; (3) the factual  
contentions have evidentiary support or, if specifically so identified, will likely  
have evidentiary support after a reasonable opportunity for further investigation or  
discovery; and (4) the denials of factual contentions are warranted on the evidence  
or, if specifically so identified, are reasonably based on belief or a lack of

1 information.

2 Fed. R. Civ. P. 11(b). If a party fails to comply with Rule 11(b), the Court has discretion to  
3 impose an appropriate sanction, including awarding the prevailing party's reasonable expenses or  
4 attorney fees. Fed. R. Civ. P. 11(c)(1).

5 The Jordans assert that Plaintiff's claims violate Rule 11(b) because they are unwarranted  
6 by existing law or any good faith argument, have no evidentiary support, and were filed to harass  
7 the Jordans. (Dkt. No. 38.) The Court declines to impose Rule 11 sanctions on Plaintiff at this  
8 juncture of the case. Therefore, the Jordans' motion for Rule 11 sanctions (Dkt. No. 38) is  
9 DENIED.

10 DATED this 22nd day of April 2019.

11 William M. McCool  
12 Clerk of Court

13 s/Tomas Hernandez  
14 Deputy Clerk